

The Court holds such judgments are unconstitutional as to individuals earning under \$10,000 per annum, provided, however, that if such notes are secured by real estate and serve the purpose of mortgages they will be upheld as valid without reference to the income of the maker.

The foregoing information is derived from long distance telephone conversation with Government counsel, who advises there is no statutory or other basis for the \$10,000 line of demarcation. Nor is there statutory distinction between the status of notes given with security, and those without. It seems inevitable that the very grave constitutional issue here involved will be the subject of direct appeal at the next term of this Court.

WHEREFORE, petitioner moves the Court to defer and postpone consideration of its petition until it may be considered at the next term of Court with the parallel case just decided by the 3-judge Federal Court in the Eastern District of Pennsylvania which may have a very important bearing upon the principles controlling this case.

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